

106TH CONGRESS
2D SESSION

H. R. 5132

To amend title 38, United States Code, to establish a comprehensive program for testing and treatment of veterans for the Hepatitis C virus.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 7, 2000

Mr. FRELINGHUYSEN (for himself, Mrs. KELLY, Mr. FRANKS of New Jersey, Mr. GILMAN, Mr. HINCHEY, Mrs. ROUKEMA, Mr. SAXTON, Mrs. MCCARTHY of New York, Mr. KING, Mr. LoBiondo, Mr. PALLONE, Mr. PASCRELL, Mr. LAZIO, Mr. CROWLEY, Mr. WEINER, Mr. SWEENEY, Mr. FOSSELLA, Mr. SERRANO, Mr. SMITH of New Jersey, Mr. MEEKS of New York, Mr. PAYNE, Mr. MENENDEZ, Mr. ANDREWS, Mr. KLECZKA, and Mr. ROTHMAN), introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to establish a comprehensive program for testing and treatment of veterans for the Hepatitis C virus.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans Comprehen-
5 sive Hepatitis C Health Care Act”.

1 **SEC. 2. COMPREHENSIVE HEPATITIS C HEALTH CARE TEST-**
2 **ING AND TREATMENT PROGRAM FOR VET-**
3 **ERANS.**

4 (a) IN GENERAL.—(1) Chapter 17 of title 38, United
5 States Code, is amended by inserting after section 1720E
6 the following new section:

7 **“§ 1720F. Hepatitis C testing and treatment**

8 “(a)(1) During the first year after the date of the
9 enactment of this section, the Secretary shall provide a
10 blood test for the Hepatitis C virus to—

11 “(A) each veteran who served in the active mili-
12 tary, naval, or air service during the Vietnam era
13 and is enrolled to receive care under section 1710 of
14 this title who requests the test or is otherwise receiv-
15 ing a physical examination or any care or treatment
16 from the Secretary; and

17 “(B) to any other veteran who requests the
18 test.

19 “(2) After the end of the one-year period referred to
20 in paragraph (1), the Secretary shall provide a blood test
21 for the Hepatitis C virus to any veteran who presents one
22 or more risk factors for that virus and who requests the
23 test.

24 “(b) In the case of any veteran who tests positive for
25 the Hepatitis C virus, the Secretary shall provide an ap-
26 propriate treatment protocol for that veteran. Treatment

1 shall be provided under this subsection without regard to
2 whether the Hepatitis C virus is determined to be service-
3 connected and without regard to priority group categoriza-
4 tion of the veteran. No copayment may be charged for
5 treatment under this subsection.

6 “(c) In the case of any veteran who tests positive for
7 the Hepatitis C virus, the Secretary shall, upon request,
8 perform a liver biopsy on the veteran as a follow-up test.

9 “(d) In the case of any veteran who tests positive for
10 the Hepatitis C virus, the Secretary shall, upon request,
11 provide a Hepatitis C virus genotype test before beginning
12 treatment of the veteran under subsection (b).

13 “(e)(1) The Secretary shall require that each Depart-
14 ment medical center employ at least one full-time gastro-
15 enterologist or hepatologist to conduct tests for the Hepa-
16 titis C virus under this section.

17 “(2) The Secretary shall, to the extent practicable,
18 ensure that each Department medical center has at least
19 one staff member assigned to work, in coordination with
20 Hepatitis C medical personnel, to coordinate treatment op-
21 tions for Hepatitis C patients and provide information for
22 those patients. Such a staff member should preferably be
23 trained in psychology or psychiatry or be a social worker.

24 “(3) In order to improve treatment provided to vet-
25 erans with the Hepatitis C virus, the Secretary shall pro-

1 vide increased training options to Department health care
2 personnel.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of such chapter is amended by inserting
5 after the item relating to section 1720E the following new
6 item:

“1720F. Hepatitis C testing and treatment.”.

7 **SEC. 3. FUNDING FOR HEPATITIS C PROGRAMS OF THE DE-**
8 **PARTMENT OF VETERANS AFFAIRS.**

9 (a) PROGRAM ACCOUNT.—Beginning with fiscal year
10 2001, amounts appropriated for the Department of Vet-
11 erans Affairs for Hepatitis C detection and treatment
12 shall be provided, within the “Medical Care” account,
13 through the “Specific Purpose” subaccount, rather than
14 the “VERA” subaccount.

15 (b) ALLOCATION OF FUNDS TO VISNs.—In allo-
16 cating funds appropriated for the Department of Veterans
17 Affairs for the “Medical Care” account to the Veterans
18 Integrated Service Networks, the Secretary of Veterans
19 Affairs shall allocate funds for detection and treatment of
20 the Hepatitis C virus based upon incidence rates of that
21 virus among veterans (rather than based upon the overall
22 population of veterans) in each such network.

23 (c) LIMITATION ON USE OF FUNDS.—Amounts ap-
24 propriated for the Department of Veterans Affairs for
25 Hepatitis C detection and treatment through the “Specific

1 Purpose” subaccount may not be used for any other pur-
2 pose.

3 **SEC. 4. NATIONAL POLICY.**

4 (a) STANDARDIZED NATIONWIDE POLICY.—The Sec-
5 retary of Veterans Affairs shall develop and implement a
6 standardized policy to be applied throughout the Depart-
7 ment of Veterans Affairs health care system with respect
8 to the Hepatitis C virus. The policy shall include the test-
9 ing protocol for the Hepatitis C virus, treatment options,
10 education and notification efforts, and establishment of a
11 specific Hepatitis C diagnosis code for measurement and
12 treatment purposes.

13 (b) OUTREACH.—The Secretary shall, on an annual
14 basis, take appropriate actions to notify veterans who have
15 not been tested for the Hepatitis C virus of the need for
16 such testing and the availability of such testing from the
17 Department of Veterans Affairs.

18 **SEC. 5. HEPATITIS C CENTERS OF EXCELLENCE.**

19 (a) ESTABLISHMENT.—The Secretary of Veterans
20 Affairs shall establish at least one, and not more than
21 three, Hepatitis C centers of excellence. Each such center
22 shall be established at a Department of Veterans Affairs
23 medical center in one of the five geographic service areas
24 (known as a Veterans Integrated Service Network) with
25 the highest case rate of Hepatitis C in fiscal year 1999.

1 (b) FUNDING.—Funding for the centers established
2 under subsection (a) shall be provided from amounts avail-
3 able to the Central Office of the Department of Veterans
4 Affairs and shall be in addition to amounts allocated for
5 Hepatitis C pursuant to section 3.

